EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LINDSAY GROSSCUP, on behalf of herself and all other persons similarly situated, known and unknown, Plaintiff, v. KPW MANAGEMENT, INC., and HERE'S WINGS, LLC, Defendants.	Case No. 1:16-cv-06501 Judge John J. Tharp Magistrate Judge Young B. Kim

DECLARATION OF JOSH BALDAREZ

I, Josh Baldarez, based on my personal knowledge and pursuant to 28 U.S.C. § 1746, declare as follows:

1. I work as a server at the Buffalo Wild Wings restaurant in Skokie, Illinois ("BWW") and have done so for about a year. I started working here as cashier about two years ago.

2. I typically work 4 shifts per week as a server, and one day a week as a cashier. My server shifts typically start around 4:30 p.m. and end between midnight and 2:30 a.m.

Types of Activities

3. As a server for BWW, my primary responsibility is serving customers. To effectively and efficiently serve customers, I perform a variety of tasks including greeting my guests, taking their drink orders, bringing them their drinks, taking their food orders, bringing them their food, checking in on them for anything they need, bringing them the bill, and picking up the payment and making any change.

4. “Side work” is a shorthand term that we use to describe tasks that enable us to serve customers in an efficient and seamless manner.

5. I perform running side work. This means that, during my shift, I tidy up my area when I am not busy so that the area around my tables is clean. I also stock the server stations with napkins, silverware, receipt paper, coasters, and to-go cups or lids. This takes me no more than 15 minutes per shift, and usually not that much time.

6. I also perform side work after the restaurant closes. This takes me about a half hour per shift. It consists of sweeping only my section, sticking silverware in the dishwasher, taking it out of the dishwasher, and then rolling it inside a napkin and placing a sticky tie around it. I also will make sure all the caddies in my section are stocked with condiments.

7. I have never performed tasks that were unrelated to my job as a server. During my time as a server, I have never cleaned bathrooms; vacuumed; mopped and deck scrubbed the floors; cleaned and bleached drains; emptied and cleaned or scrubbed trash cans; washed dishes, hand-washed silverware, cups, glassware, and other items; cleaned restaurant walls; dusted wood, vents, televisions, or coils on coolers; filled “sani” with water and sanitizer and placed them at the server stations; broken down the soda wand; filled ice in the back of the house and carried them to the front of the house to employ into ice bins; placed tubs at the server stations; set up the patio which involves carrying caddie buckets with condiments, wet naps, and napkins, and watering the plants; cleaned the outside area of the restaurant; plugged the bar dishwasher and filled it with water; stocked the bar with napkins and boats; placed rubber mats on the floor behind the bar; restocked drink mixes, lemonades, and beer bottles; changed empty kegs; cut fruit; washed barware and equipment such as the blender; cleaned the walking cooler; cleaned and dusted the bar.]

8. I have never performed work in the kitchen.

Time Spent on Different Tasks

9. I estimate that I spend no more than 15 minutes per shift on running side work and 30 minutes on closing side work.

10. This means that I spend about 10 % of my time on side work.

Compensation

11. I am aware that BWW takes a tip credit. In other words, I am aware that BWW pays me less than minimum wage because I receive tips. The tips I earn far exceed this tip credit, and I would rather receive my tip income than receive minimum wage.

12. When I started working at BWW as a server, the company explained the tip credit to me and told me that it intended to pay me less than minimum wage for the hours I worked, and my manager explained this to me.

13. When I started working at BWW, the company also gave me a copy of the employee handbook. The handbook contains a written explanation of the compensation method that BWW applies to tipped employees. I reviewed the handbook and understood this explanation.

14. BWW displays a poster near the office that explains the law with respect to minimum wage and the tip credit, and I believe it has always been there.

15. I have been paid the full minimum wage for performing certain duties, for example, when I go to meetings, get trained, or work as a cashier. When I perform these duties, I clock in with a different job code so that receive the full minimum wage.

16. I do not think I am receiving less compensation than I am entitled to, and I have never complained to that effect. In fact, I make more as server than I did as a cashier. I have never heard anyone else make such a complaint.

17. I know that I can report complaints without fear of retaliation. If I ever had a problem or felt that I was not being paid properly for the hours I worked, I would report it immediately.

Walkouts and Cash Drawer Shortages

18. A walkout occurs when a customer leaves the restaurant without paying the bill. When a walkout occurs, I am not responsible for paying the bill; rather, BWW takes the loss. I have not been disciplined for customer walkouts; rather, I get coached on how to prevent them in the future.

I declare under penalty of perjury that the foregoing is true and correct.

12/01/2016
Date

Josh Baldarez

36061541v.1

EXHIBIT 2

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LINDSAY GROSSCUP, on behalf of herself and all other persons similarly situated, known and unknown, Plaintiff, v. KPW MANAGEMENT, INC., and HERE'S WINGS, LLC, Defendants.	Case No. 1:16-cv-06501 Judge John J. Tharp Magistrate Judge Young B. Kim

DECLARATION OF CHEYENNE FARRELL

I, Cheyenne Farrell, based on my personal knowledge and pursuant to 28 U.S.C. § 1746, declare as follows:

1. I work as a server and bartender at the Buffalo Wild Wings restaurant in the Old Orchard Mall ("BWW"). I started working at this restaurant in May 2015 as a server and six months later began training as a bartender.

2. I typically work 30 to 35 hours per week in a variety of shifts. Usually, I work one to two bartender shifts and three to four server shifts. Sometimes I open, sometimes I close, and sometimes I do neither.

3. Prior to working as a at BWW, I worked in tipped positions at some other restaurants in the Chicago area.

Types of Activities

4. As both a server and bartender for BWW, my primary responsibility is serving guests. To effectively and efficiently do that, I perform a variety of tasks, the vast majority of which are focused on those guests.

5. But I also perform some "side work," which can mean a few things that are not directly aimed at servings guests. They include light cleaning to ensure a nice appearance in my service areas, and activities that help me respond to guests' needs quickly. For example, during their shifts, bartenders respond to customer needs by, delivering drinks, dishes, condiments, garnishes, and other items that customers request. Therefore, part of our side work includes stocking these items in the bar so that they are available and can be delivered quickly and efficiently upon request. That's why I cut fruit ahead of time, so that when a customer would like a twist of lemon in their drink, I will have it ready for them without having to spend time preparing that.

6. Based on my experience, different shifts have different side work as do different roles and the amount of time I spend on it varies.

7. For example, if I work an opening shift as a server, my opening side work takes me between 10 and 20 minutes. All I need to do is cut lemons, brew tea, obtain supplies to wipe down tables as the tables turn over, and if anything isn't stocked in my server station, stock it. The average time I spend on this might be 15 minutes.

8. Working a closing shift as a server takes longer. There's about 45 minutes of side work in that role. When I do that, I make sure the tables are tidy and look the same, refill the wetnap holders, take down the soda machine, dump the tea, take the garbage to the kitchen, restock cups, napkins, etc. and vacuum the carpet in my area. And if I am doing this in the bar floor as a bar server, I sweep and mop the floor rather than vacuum, but the time this takes is the same as if I were not in the bar.

9. I don't work as an opener and closer on the same day.

10. There is additional side work called running side work that is not associated with opening or closing. This takes me maybe 30 minutes in total per shift. It includes rolling silverware, stocking server station items on which we are running low, and spot sweeping.

11. Bartender duties are a bit different. If I am the opening bartender, I spend a total of 45 minutes on opening side work. Cutting fruit for the drinks I am going to serve takes about 15 of those 45 minutes, but I don't know if that is really side work since that is part of the drinks I serve and it enables me to serve them faster, and might help with a better tip. The other 30 minutes consists of putting down mats, setting up pre-cut fruit, setting up bar caddies and strawholders, taking out tap stoppers, and removing covers on bottles.

12. If I am the closing bartender, I'll spend about 30-45 minutes on closing side work. This includes putting away syrup and other items such as fruit, closing the taps, restocking bottles, dump the ice bin, remove the garbage at the bar to the kitchen, wipe everything down, run glasses through the dishwasher, take apart the dishwasher, and mop the bar area and keg cooler. I perform this work quickly because I want to get out of here at night as soon as I can.

13. I may also have running side work as a bartender. Sometimes, however, there is none. The only thing I'll do is wipe down the bar, and I do that more out of boredom than anything else when we aren't busy. I could spend maybe an hour doing that, but don't always.

14. I have never performed work in the kitchen. I perform most of my side work at the server stations in the dining room, or in the bar, where I can keep an eye on my customers.

Time Spent on Different Tasks

15. It is difficult for me to estimate how much time I spend performing particular tasks or types of tasks during a shift. This is because every shift is different depending on what I am doing, when the shift is, and how busy we are.

16. I have never spent more than 20% of my work time during any particular week performing side work.

Compensation

17. I am aware that BWW takes a tip credit. In other words, I am aware that BWW pays me less than minimum wage because I receive tips. The tips I earn far exceed this tip credit, and I would rather receive my tip income than receive minimum wage.

18. When I started working at BWW, the company explained the tip credit to me and told me that it intended to pay me less than minimum wage for the hours I worked. My GM Luis explained it to me.

19. I have been paid the full minimum wage for performing certain duties, for example, when I am in meetings. When I do that, I clock in with a different job code so that I receive the full minimum wage.

20. I do not think I am receiving less compensation than I am entitled to, and I have never complained to that effect. I have never heard anyone else make such a complaint.

21. I know that I can report complaints without fear of retaliation. If I ever had a problem or felt that I was not being paid properly for the hours I worked, I would report it.

I declare under penalty of perjury that the foregoing is true and correct.

12-2-16
Date

Cheyenne Farrell

36067982v.1

EXHIBIT 3

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LINDSAY GROSSCUP, on behalf of herself and all other persons similarly situated, known and unknown, Plaintiff, v. KPW MANAGEMENT, INC., and HERE'S WINGS, LLC, Defendants.	Case No. 1:16-cv-06501 Judge John J. Tharp Magistrate Judge Young B. Kim

DECLARATION OF ALEXIS KETTERMAN

I, Alexis Ketterman, based on my personal knowledge and pursuant to 28 U.S.C. § 1746, declare as follows:

1. I work as a bartender and server at the Buffalo Wild Wings restaurant in Hagerstown, Maryland ("BWW"). I have worked as a bartender for 3 years, and I have worked as a server for 4 years.

2. I work, almost exclusively, night shifts (5:00 p.m. to close). I work 6 days per week, and always work close to 40 hours per week.

3. This declaration covers the time period 2013 to the present.

Types of Activities

4. As a server and bartender for BWW, my primary responsibility is serving customers. To effectively and efficiently serve customers, I perform a variety of tasks.

5. "Side work" is a shorthand term that we use to describe tasks that enable us to serve customers in an efficient and seamless manner. For example, during their shifts, servers

respond to customer needs by, for example, delivering drinks, dishes, condiments, garnish, and other items that customers request. Therefore, part of our side work includes stocking these items in the server stations so that they are available and can be delivered quickly and efficiently upon request.

6. Before I start my closing shift as a server, my pre-shift side work may include filling caddies and refilling ice; however, I typically rely on preparatory work completed by other servers to start my shift and serve my customers, so my pre-shift side work is very minimal. I rarely have any pre-shift side work as a bartender working the closing shift. As a server, my running side work includes clearing dishes,keeping the server stations stocked, refilling ice, and moving trays. As a bartender, my running side work is very limited, and may include getting a serving tray. When I am cut, as a server, my side work may include rolling silverware and cleaning my section. When I am cut, as a bartender, my side work includes re-stocking beer, cleaning bar tools such as jiggers and pourers, clearing dishes, and ensuring the bar floor is clean.

7. The side work that I perform also varies based on the number of customers in the restaurant. I may perform slightly more side work on a slow day to pass the time waiting for customers.

8. In my experience, customers tip based on factors including speed of service, responsiveness, and overall dining experience. Because side work allows me to respond to customer requests more quickly and efficiently, and helps create a more pleasant dining environment, it leads to greater tips.

9. I have never performed tasks that were unrelated to my job as a server or bartender. During my time as a server and bartender, I have never cleaned bathrooms, set up the

patio furniture, or performed work in the kitchen. As a server, I perform most of my side work at the server stations in or adjacent to the dining room, where I can keep an eye on my customers. As a bartender, I perform all of my side work in the bar.

Time Spent on Different Tasks

10. I estimate that, during a busy 6 hour shift as a server or bartender, I spend no more than 30 minutes max per day on side work (this includes any opening side work, my running side work, and my closing or "cut" side work). This means that, during a 6 hour shift, depending on the day, I might spend about 8% of my time, or less, on side work.

11. I have never spent more than 20% of my work time during any particular week performing side work.

Compensation

12. I am aware that BWW takes a tip credit. In other words, I am aware that BWW pays me less than minimum wage because I receive tips. The tips I earn far exceed this tip credit, and I would rather receive my tip income than receive minimum wage. I believe that I am paid very well.

13. When I became a server, the company explained the tip credit to me and told me that it intended to pay me less than minimum wage for the hours I worked.

14. BWW displays a poster beside the kitchen that explains the law with respect to minimum wage and the tip credit. A similar poster has been displayed throughout my employment with the company.

15. I do not think I am receiving less compensation than I am entitled to, and I have never complained to that effect. I have never heard anyone else make such a complaint.

16. I know that I can report complaints without fear of retaliation. If I ever had a problem or felt that I was not being paid properly for the hours I worked, I would report it immediately.

Walkouts and Cash Drawer Shortages

17. A walkout occurs when a customer leaves the restaurant without paying the bill. When a walkout occurs, I am not responsible for paying the bill; rather, BWW takes the loss. I have not been disciplined for customer walkouts, and I have not ever paid for a customer walkout.

I declare under penalty of perjury that the foregoing is true and correct.

12-13-16
Date

Alexis L Ketterman
Alexis Ketterman

36200103v.1

EXHIBIT 4

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LINDSAY GROSSCUP, on behalf of herself and all other persons similarly situated, known and unknown, Plaintiff, v. KPW MANAGEMENT, INC., and HERE'S WINGS, LLC, Defendants.	Case No. 1:16-cv-06501 Judge John J. Tharp Magistrate Judge Young B. Kim

DECLARATION OF CHAD LAMMEY

I, Chad Lammey, based on my personal knowledge and pursuant to 28 U.S.C. § 1746, declare as follows:

1. I work as a bartender/server, and I am also a trainer at the Buffalo Wild Wings restaurant in Westminster, Maryland ("BWW"). I started working as a server eleven years ago, in 2005, and became a bartender/server in 2008. From 2010-2013 I worked as a new restaurant opening trainer, and in that role I traveled around the country training staff on opening the new BWW restaurants. During that time I received hourly pay of at least the full minimum wage and a large amount of overtime. In 2013 I came back to Westminster, Maryland and went back to being a bartender/server. Prior to that, I worked as a server at BWW, but did not bartend. At all times that I have been working in a serving or bartending/serving role, I have worked at the Westminster, Maryland location. This declaration focuses on my experiences as a bartender and server since 2013.

2. I do not have a set schedule; rather, my schedule varies week to week. I typically work five days per week. Three of my shifts are bartending shifts, and two are serving shifts. The shift schedule varies; I may work opening shifts, closing shifts, or "volume" shifts where I neither open nor close the restaurant.

3. For two years prior to coming to BWW, I worked at Ruby Tuesday, serving and bartending. Prior to that I worked at Applebee's as a server.

Types of Activities

4. As a bartender/server for BWW, my primary responsibility is to ensure the guests' satisfaction. My job is to make sure that the customers enjoy their time here and come back. To effectively and efficiently serve customers, I perform a variety of tasks.

5. "Side work" is a shorthand term that we use to describe tasks that enable us to serve customers in an efficient and seamless manner. For example, during their shifts, bartenders/servers respond to customer needs by, for example, delivering drinks, dishes, condiments, garnish, and other items that customers request. Therefore, part of our side work includes stocking these items in the server stations and behind the bar so that they are available and can be delivered quickly and efficiently upon request. Side work is tasks that need to be done in order to make the restaurant run efficiently so that we can serve the guests more promptly.

6. Based on my experience, different shifts perform different side work tasks. For example, servers on opening shift get the restaurant ready for the day before it opens. The volume shift simply maintains, so they do not have to do opening or closing side work. The tasks the volume shift performs do not take a great deal of time or effort. When I work volume shift, my manager assigns me tables when I arrive, and I simply make sure that the previous

server for that area has stocked and prepared my area. I may replenish supplies, but that task does not take much time.

7. By contrast, when I work closing shift, I perform some tasks including sweeping and vacuuming my section, and placing lunch menus on the table. Closing side work should not take more than an hour, but I typically spend less time than that, because I am efficient. I do not believe that side work tasks are time-consuming or taxing.

8. I always perform running side work. This means that, during my shift, I periodically restock stations, whenever I notice a particular supply is low. In my experience, side work usually involves simply being aware when something needs to be done, and is not a taxing or time-consuming job. I work with the other bartender/servers to determine what tasks need to be done, and make sure that they are done so as to keep the restaurant running smoothly in terms of serving our customers.

9. The side work that I perform also varies based on the general volume of customers in the restaurant. If the restaurant is busier, for example on a Friday or Saturday night or on a night when the Baltimore Ravens are playing, there will be more customers in the restaurant and more tasks to do as a result. But on nights when the restaurant expects to be busier, in my experience, management assigns more staff to work, so the overall burden of side work is not substantially greater even on busy shifts.

10. In my experience, personality has a lot to do with customers' tipping. When I train new employees, I try to explain to them that if a server is forming a personal connection with customers during the time that they are here, they are going to see you as a friend and give you more money. However, side work plays a role as well. Because side work allows me to respond to customer requests more quickly and efficiently, and helps create a more pleasant

dining environment, in my experience it leads to greater tips. For example, if I did not stock flatware at the server stations, each time a customer requested a new fork or knife, I would have to make the customer wait while I walked all the way to the back of the restaurant to get one. In order to make my job easier and my service faster and more efficient, I stock such items in the server station so that the items are readily available.

11. I have never performed work in the kitchen. Other than rolling silverware, which I do in the back of the house, I perform most of my side work at the server stations in the dining room, where I can keep an eye on my customers.

Time Spent on Different Tasks

12. It is difficult for me to estimate how much time I spend performing particular tasks or types of tasks during a shift. This is because the volume of work depends on the particular shift, the customer volume, and other factors. Shift times vary, guest occupancy varies, and there are stretches of time where I am busy taking care of customers and I am focused on my customers. Each individual task takes minimal amounts of time. I spend about 10 to 15% of my total time in a work week doing side work (including all opening, running, and closing side work), because I am supposed to be taking care of my guests.

13. I estimate that, on busy days, I spend no more than an hour on opening or closing side work, if I am working that shift, and twenty minutes on running side work. If I work the volume shift, I have no opening or closing side work to do at all, and only twenty minutes at most of running side work. I try to be efficient at my opening and closing side work, so that I do not have to spend a full hour on it.

14. I estimate that, on slow days, I spend less time on side work because we do not use up supplies as quickly, and I do not have to restock as frequently. Even on a busy day, I do

not spend more than 10-15% of my time on side work, because there will be more servers scheduled and the work will be distributed amongst more people.

15. I have never spent more than 20% of my work time during any particular week performing side work.

Compensation

16. I am aware that BWW takes a tip credit. In other words, I am aware that BWW pays me less than minimum wage because I receive tips. The tips I earn far exceed this tip credit, and I would rather receive my tip income than receive minimum wage.

17. When I started working at BWW, the company explained the tip credit to me and told me that it intended to pay me less than minimum wage for the hours I worked. During orientation or at the final interview stage, the general manager, Carolyn, explained this to me.

18. When I started working at BWW, the company also gave me a copy of the employee handbook. I reviewed the handbook and understood the information in it.

19. I received updated notices when the minimum wage changed.

20. BWW displays a poster in the kitchen that explains the law with respect to minimum wage and the tip credit. A similar poster has been displayed throughout my employment with the company.

21. When I attend meetings or training classes, I receive the full minimum wage. I use a different code to clock in and out for those tasks.

22. I do not think I am receiving less compensation than I am entitled to, and I have never complained to that effect.

23. I know that I can report complaints without fear of retaliation. If I ever had a problem or felt that I was not being paid properly for the hours I worked, I would report it immediately.

Walkouts and Cash Drawer Shortages

24. A walkout occurs when a customer leaves the restaurant without paying the bill. When a walkout occurs, I am not responsible for paying the bill; rather, BWW takes the loss. I have never been disciplined for a walkout. I have paid for customer walkouts many years ago-- well before 2013-- but in recent years it has been clear that the company will bear the loss of a customer walkout. I have not paid for a customer walkout since before 2013.

I declare under penalty of perjury that the foregoing is true and correct.

12/13/16
Date

Chad Lammey

EXHIBIT 5

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LINDSAY GROSSCUP, on behalf of herself and all other persons similarly situated, known and unknown, Plaintiff, v. KPW MANAGEMENT, INC., and HERE'S WINGS, LLC, Defendants.	Case No. 1:16-cv-06501 Judge John J. Tharp Magistrate Judge Young B. Kim

DECLARATION OF PAMELA LOPEZ

I, Pamela Lopez, based on my personal knowledge and pursuant to 28 U.S.C. § 1746, declare as follows:

1. I work as a server at the Buffalo Wild Wings restaurant in Round Lake Beach, Illinois ("BWW"). I started working at the restaurant as a cashier around 2003 and I became a server around 2006.

2. For at least the past three years, I have typically only worked "volume" shifts; that is, shifts where I neither open nor close. My shift is typically from 11:00 a.m. until 4:30 or 5:00 p.m.; or from 4:00 p.m. until 10:00 or 10:30 p.m. Currently I work two days per week. In the past three years my schedule has varied such that I have worked either one, two, or three days per week.

3. This declaration focuses on my experiences from the middle of 2013 to the present.

PL

Types of Activities

4. As a server for BWW, my primary responsibility is serving customers. To effectively and efficiently serve customers, I perform a variety of tasks.

5. "Side work" is a shorthand term that we use to describe tasks that enable us to serve customers in an efficient and seamless manner. For example, during their shifts, servers respond to customer needs by, for example, delivering drinks, dishes, condiments, garnish, and other items that customers request. Therefore, part of our side work includes stocking these items in the server stations so that they are available and can be delivered quickly and efficiently upon request.

6. As a server on a "volume" shift, I do not arrive before the restaurant opens. When I arrive, the opening server or morning servers have already performed some side work to prepare for our shift, so instead of performing all of my own side work, I rely on some of the preparatory work of the opening server. I do check to make sure that my section is clean and ready when I arrive; this only takes a couple of minutes.

7. During my shift, I sometimes perform running side work. This means that, during my shift, I periodically make sure my server station is stocked and keep my section neat and clean. I estimate that I typically spend anywhere from 5 to 20 minutes performing running side work during my shift, with the average being about 15 minutes.

8. The side work that I perform varies based on whether there are special events in the restaurant. For example, every Wednesday night is Kids' Night and we typically serve large parties and lots of kids. I tend to spend longer cleaning up my section after each table before the next one is seated and also typically respond to more customer requests. Even on Kids' Night, I only spend about thirty minutes performing running side work.

PL

9. The side work that I perform also depends on the shift I am working. For example, the restaurant is busier on weekends, so I will spend more time stocking the server station since we run out of items like napkins, paper boats for the wings, and ice, faster.

10. At the end of my shift, once I am "cut" I also perform side work before I go home. I made sure that the tables, chairs, and menus in my own section are clean, and I roll some silverware. In addition to these tasks in my own section, each server pitches in to perform another short side work task depending on which "cut" the server is. For example, on first cut, the server cleans the booster seats, high chairs, and walls. I typically spend around 30 to 45 minutes on my "cut" work.

11. There are also weekly side work tasks that openers and closers perform. As a "volume" server, I do not perform these tasks. For example, openers and closers, once per week, will refill salt shakers on one day, and peppers shakers on another day. I don't have any responsibility to perform these weekly tasks and I do not perform them.

12. Sometimes I sweep my section before going home. My restaurant doesn't have a vacuum that works. However, some servers bring in their own small vacuum from home. I don't have my own vacuum, but sometimes will borrow another server's vacuum to vacuum instead of sweep

13. In total, I never spend more than 30 minutes (sometimes this number is as low as 5 minutes) on running side work and 30-45 minutes on "cut" work. This means that I spend anywhere from 30 to 75 minutes total during a shift on side work. My shifts are typically 5.5 to 7 hours long, with more side work performed on a longer shift. I would typically never spend 75 minutes on side work during a shift that was only 5.5 hours long; that amount of side work would only be on a longer shift, so the amount of side work I typically perform is much less than

PL

20% of my total working time. For example, when I perform side work for 45 minutes on a 5.5 hour shift, I spend less than 13% of my time on side work.

14. In my experience, customers tip based on factors including speed of service, responsiveness, and overall dining experience. Because side work allows me to respond to customer requests more quickly and efficiently, and helps create a more pleasant dining environment, it leads to greater tips. Having my side work done helps me receive greater tips, but tips are based on other factors as well.

15. I have noticed that I am more efficient and do not forget customers' requests as often when I have everything that I need to serve my customers adequately stocked in my server station. Having everything stocked and ready helps me perform my job more efficiently. Therefore, I believe that having these items stocked and easily accessible leads to higher tips.

16. During my time as a server, since at least 2013, I have never cleaned bathrooms (including removing trash, mopping the floors, or cleaning the toilets, urinals, counters, mirrors, and sinks, and replacing sanitary bags in the women's restroom); cleaned and bleached drains; set up the patio, including involves carrying caddie buckets with condiments, wet naps, and napkins, and watering the plants (our restaurant does not have a patio); removed cigarette butts from sand-filled outdoor ashtrays; plugged the bar dishwasher and filled it with water; stocked the bar with napkins and boats; placed rubber mats on the floor behind the bar; set up the glass rimmers; restocked drink mixes, lemonades, and beer bottles; changed empty kegs; washed barware and equipment such as the blender; or cleaned the walk-in cooler.

17. I have never performed work in the kitchen. I perform most of my side work at the server stations in the dining room, where I can keep an eye on my customers.

Compensation

RL

18. I am aware that BWW takes a tip credit. In other words, I am aware that BWW pays me less than minimum wage because I receive tips.

19. When I started working at BWW, the company also gave me a copy of the employee handbook. I don't remember everything the handbook says, but it is available to me if I ever want to refer to it.

20. I have never complained to a manager that I have received less compensation than I am entitled to. I have never heard anyone else make such a complaint to a manager.

21. I know that I can report complaints without fear of retaliation. If I ever had a problem or felt that I was not being paid properly for the hours I worked, I would report it immediately.

Walkouts and Cash Drawer Shortages

22. A walkout occurs when a customer leaves the restaurant without paying the bill. When a walkout occurs, I am not responsible for paying the bill; rather, BWW takes the loss. Since 2013 I have not had any walkouts.

23. I do not use a cash drawer, nor do I have access to a cash drawer, although sometimes I ask a cashier to make change for me from their cash drawer. I keep my money with me during my shift. None of my money has ever gone missing or been "short."

I declare under penalty of perjury that the foregoing is true and correct.

12-09-2016 (handwritten)
Date

Pamela Lopez (signature)
Pamela Lopez

PL (handwritten initials)

36161813v.2

EXHIBIT 6

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LINDSAY GROSSCUP, on behalf of herself and all other persons similarly situated, known and unknown, Plaintiff, v. KPW MANAGEMENT, INC., and HERE'S WINGS, LLC, Defendants.	Case No. 1:16-cv-06501 Judge John J. Tharp Magistrate Judge Young B. Kim

DECLARATION OF ARTURO MARTINEZ

I, Arturo Martinez, based on my personal knowledge and pursuant to 28 U.S.C. § 1746, declare as follows:

1. I work as a server at the Buffalo Wild Wings restaurant in the Old Orchard Mall ("BWW"). I started working as a server in January 2016 and, before that, worked as a an Expo and Cashier for about six months.

2. I typically work about 30 hours a week. On Sundays and Thursdays I work an evening shift, and on Mondays and Saturdays I work a closing shift. On those closing shifts, I typically continue to work at the restaurant for an hour after it closes.

Types of Activities

3. As a server for BWW, my primary responsibility is serving guests. To effectively and efficiently serve guests, I perform a variety of tasks aimed directly at them.

4. I also perform some side work, which are either general preparation or maintenance tasks, or tasks that enable us to serve customers quickly. For example, during my shift, I respond to customer needs by delivering drinks and food and condiments that customers

order or request. Therefore, part of side work includes stocking items in the server stations so that they are available and can be delivered quickly and efficiently upon request.

5. Based on my experience, different shifts have different side work. For example, when I work a closing shift, there is an hour of side work that I perform once the restaurant closes. This includes sweeping, mopping, restocking, filling caddies, cleaning tables, and generally making sure everything looks nice. Depending on the day, it may also include refilling the salt and pepper shakers. I usually am responsible for the bar floor area.

6. I also perform side work during my shift while the restaurant is open. This typically includes refilling the stocking stations with various items servers need to serve their guests quickly. It includes refilling ice bins, supplying cups, spot sweeping, cleaning tables, and taking garbage to the kitchen. I estimate that I spend about 15-20 minutes per shift on this part of side work.

7. I have never performed work in the kitchen. I perform most of my side work at the server stations in / adjacent to the dining room or bar, where I can keep an eye on my customers.

Time Spent on Different Tasks

8. I estimate that I spend about 11% of my work time in a week on side work on average, and I don't think I've ever spent more than 20% of my work time in a week on it. Two days a week I spend an hour on each of those days on closing side work, so that is a total of 120 minutes. Plus, I spend about 20 minutes a day on side work before closing, and do that about 4 days a week, so that's another 80 minutes, for a total of 200 minutes spent on side work in a week. My 30 hours of work per week equals 1,800 minutes, so 200 minutes on side work out of 1,800 total minutes is 11% of my work time in a week.

Compensation

9. I am aware that BWW takes a tip credit. In other words, I am aware that BWW pays me less than minimum wage because I receive tips. The tips I earn far exceed this tip credit, and I would rather receive my tip income than receive minimum wage.

10. When I started working at BWW as a server, the company explained the tip credit to me and told me that it intended to pay me less than minimum wage for the hours I worked.

11. When I started working at BWW, the company also gave me a copy of the employee handbook, but I do not remember what exactly is in there.

12. I have been paid the full minimum wage for performing certain duties, for example, when in meetings or training. When I perform these duties, I clock in with a different job code so that I receive the full minimum wage.

13. I do not think I am receiving less compensation than I am entitled to, and I have never complained to that effect. I have never heard anyone else make such a complaint.

14. I know that I can report complaints without fear of retaliation. If I ever had a problem or felt that I was not being paid properly for the hours I worked, I would report it immediately.

Walkouts

15. A walkout occurs when a customer leaves the restaurant without paying the bill. When a walkout occurs, I am not responsible for paying the bill; rather, BWW takes the loss. This has happened to me twice, and I haven't paid for it. Rather, I've received instructions on how to prevent walkouts from occurring in the future.

I declare under penalty of perjury that the foregoing is true and correct.

12/2/16
Date

Arturo Martinez

EXHIBIT 7

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LINDSAY GROSSCUP, on behalf of herself and all other persons similarly situated, known and unknown, Plaintiff, v. KPW MANAGEMENT, INC., and HERE'S WINGS, LLC, Defendants.	Case No. 1:16-cv-06501 Judge John J. Tharp Magistrate Judge Young B. Kim

DECLARATION OF ANTONIA ROBLES

I, Antonia Robles, based on my personal knowledge and pursuant to 28 U.S.C. § 1746, declare as follows:

1. I work as a bartender and server at the Buffalo Wild Wings restaurant in Hagerstown, Maryland ("BWW"). I have worked as a bartender in Hagerstown for almost 4 years, and I have worked as a server for almost 5 years.

2. I typically work the day shift on Monday, Tuesday, and Wednesday (10:00 a.m. to approximately 3:00 p.m.). On Thursday, Friday, and Saturday nights I either work the volume shift (4:00 p.m. to 10:00 p.m.) or the closing shift (5:00 p.m. to 1:30 or 2:30 a.m.). I work no more than 40 hours per week.

3. This declaration covers the time period from 2013 through the present.

Types of Activities

4. As a bartender and server for BWW, my primary responsibility is serving customers. To effectively and efficiently serve customers, I perform a variety of tasks.

5. "Side work" is a shorthand term that we use to describe tasks that enable us to serve customers in an efficient and seamless manner. For example, as a bartender, on an opening shift, I: set up the bar; put out napkins; set up my bartending tools, such as jiggers; cut fruit; fill the ice; and get the kegs ready. As a bartender on a volume shift, I do not perform any pre-shift side work, but I perform running side work. When I get cut from a volume shift, I take out empty kegs, fill the ice, and take out the trash so that the bar is ready to continue serving customers. When I work the closing shift, I: take out empty kegs; take out the trash; refill the ice; ensure that beers are stocked for the next day; and drain the dishwasher, so that the bar is ready to open and begin serving customers the next day. On an opening shift, once I am cut, I check and refill the ice and beer.

6. As a server, on an opening shift, I: make sure celery and ranch dressing are ready to be served with wings; set out sani-water for wiping down tables; wipe down my tables; and set up the soda machine. On a volume shift, I do not perform any work before the start of my shift; rather, when I arrive at the restaurant, I begin serving tables immediately. On a volume shift, I perform running side work, such as ensuring the soda and ice are stocked, and refilling cups and napkins. On an opening or volume shift, once I am cut, I ensure my section is clean, napkins are stocked, and condiments are full. On a closing shift, once I am cut, I tear down the soda machines, take out the trash, and clean my tables.

7. Running side work is shared by all servers and bartenders on duty, depending on whether it is bartending side work, or serving side work.

8. In my experience, customers tip based on factors including speed of service, responsiveness, and overall dining experience. Because side work allows me to respond to

customer requests more quickly and efficiently, and helps create a more pleasant dining environment, it leads to greater tips.

9. I have never performed tasks that were unrelated to my job as a bartender or server. I have never cleaned the bathrooms and I have never performed work in the kitchen.

Time Spent on Different Tasks

10. I estimate that, on busy days, on an opening or closing shift, I spend no more than 30 minutes per shift on opening side work or closing side work, and no more than 15 minutes on running side work. On a "volume" shift, since I do not have opening or closing side work, I spend only no more than 15 minutes on running side work, which is all of my side work on those shifts.

11. I estimate that, on slow days, I might spend a few more minutes on side work, rather than remain unproductive while I wait for customers to arrive.

12. This means that, on an 8 hour shift, depending on the day and shift, I might spend between 3% and 9% of my time on side work. When I work an 8 hour volume shift, I spend about 3% of my time on side work, and when I work an 8 hour opening or closing shift, I spend about 9% of my time on side work. I might spend a slightly greater percentage of my time performing side work on a shorter shift.

13. I have never spent more than 20% of my work time during any particular week performing side work.

Compensation

14. I am aware that BWW takes a tip credit. In other words, I am aware that BWW pays me less than minimum wage because I receive tips.

15. The tips I earn far exceed this tip credit, and I would rather receive my tip income than receive minimum wage. I have worked at BWW for 5 years because the money is so good. I could not make as much money working at another restaurant. I am able to support my family by working at BWW.

16. When I started working at BWW, the company explained the tip credit to me, and the company also gave me a copy of the employee handbook. The handbook contains a written explanation of the compensation method that BWW applies to tipped employees. I reviewed the handbook and understood this explanation.

17. When I started working for the company, I also received and signed an acknowledgement form regarding my pay. The form set out the amount of my wages per hour and the amount of the tip credit that the company intended to take against minimum wage.

18. I receive updated notices when the minimum wage changes, and BWW displays a poster in the kitchen that explains the law with respect to minimum wage and the tip credit.

19. I have been paid the full minimum wage for performing certain duties, for example, when I work at Beer Fest or the Wing Cook-Off. When I perform these duties, I clock in with a different job code so that I receive the full minimum wage.

20. I do not think I am receiving less compensation than I am entitled to, and I have never complained to that effect. I have never heard anyone else make such a complaint.

21. I know that I can report complaints without fear of retaliation. If I ever had a problem or felt that I was not being paid properly for the hours I worked, I would report it immediately.

Walkouts and Cash Drawer Shortages

22. A walkout occurs when a customer leaves the restaurant without paying the bill. When a walkout occurs, I am not responsible for paying the bill; rather, BWW takes the loss. I

have never been disciplined for customer walkouts, and I have never paid for a customer walkout.

I declare under penalty of perjury that the foregoing is true and correct.

12/13/2016
Date

Antonia Robles

EXHIBIT 8

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LINDSAY GROSSCUP, on behalf of herself and all other persons similarly situated, known and unknown, Plaintiff, v. KPW MANAGEMENT, INC., and HERE'S WINGS, LLC, Defendants.	Case No. 1:16-cv-06501 Judge John J. Tharp Magistrate Judge Young B. Kim

DECLARATION OF ALYSSA ROHN

I, Alyssa Rohn, based on my personal knowledge and pursuant to 28 U.S.C. § 1746, declare as follows:

1. I work as a server and bartender at the Buffalo Wild Wings restaurant in Hoffman Estates, Illinois ("BWW"). I was hired as a server by BWW in 2006 and have worked as a server since then. Approximately two months ago, I also began working as a bartender. However, most of my work is as a server and I only bartend on an as-needed basis. I have worked as a bartender approximately 6-7 times in the past two months since I became a bartender.

2. I typically work Monday through Thursday. Monday, Tuesday, and Thursday, I work a double shift from 11:00 a.m. until approximately 9:00, 10:00, or 11:00 p.m., depending

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on the day and when the restaurant closes. On Wednesday, I work an evening shift from 4:00 p.m. until approximately 10:00 p.m. Currently, I do not open or close the restaurant, although I have done so in the past. This has been my schedule for approximately the last two years. Before that, I worked a variety of shifts.

Types of Activities

3. As a server and bartender at BWW, my primary responsibility is serving customers. To effectively and efficiently serve customers, I perform a variety of tasks.

4. "Side work" is a shorthand term that we use to describe tasks that enable us to serve customers in an efficient and seamless manner. For example, during their shifts, servers respond to customer needs by, for example, delivering drinks, dishes, condiments, garnish, and other items that customers request. Therefore, part of servers' side work includes stocking these items in the server stations so that they are available and can be delivered quickly and efficiently upon request. During their shifts, bartenders make drinks for guests. Many of these drinks use specific garnishes. Therefore, part of bartenders' side work, for example, is to slice fruit to garnish drinks. That way, the garnishes are ready so that we can quickly and efficiently prepare and serve drinks to our customers instead of stopping each time to slice a garnish.

5. Based on my experience, different shifts have different side work. For example, when I work a "mid" or "volume" shift (the shifts that I currently work almost exclusively, where I neither open nor close the restaurant), my manager assigns me tables when I arrive. Therefore, I do not perform any pre-shift side work, and I must rely on the preparatory work completed by other servers or bartenders to serve my customers.

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6. By contrast, on the few occasions when I have opened the restaurant as either a bartender or a server, I arrive before the restaurant opens to prepare for the customers' arrival. As a bartender, this preparatory side work includes laying down mats in the bar, cutting fruit, removing plugs from the beer taps, and setting up the well area and, on the few occasions I have opened as a bartender, has taken me approximately an hour to complete. As a server, it takes me about one hour to perform my pre-shift side work, which includes getting the bar floor area (where there are high-top tables) ready for customers. To do this I take down the stools (although sometimes my manager does this), put buckets of sanitizer at the server stations, stock the server stations with items like ice, cups, and boats for our wings, and generally make sure the bar is ready to open and looks clean and neat.

7. I also perform running side work. This means that, during my shift as a server, I periodically take plates to the dishwasher in the kitchen, gather up cups in the dining room and put them in the dishwasher, fill ice bins at my server station, stock the server stations if they are running low, and keep my section looking presentable by wiping down my tables between customers and spot sweeping as necessary. The purpose of this side work is to keep my section clean and tidy for my customers, as well as to have the items on hand that my customers might request so that I can quickly provide those items During a typical server shift this side work takes me no more than 5-10 minutes per hour (or 15 minutes to an hour and a half total). As a bartender I also perform running side work, which includes putting cups in the dishwasher behind the bar and running the dishwasher and cleaning up the bar after customers leave so that the next customer can sit down. As a bartender I typically spend about 20 minutes, total, during my shift on running side work.

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8. The side work that servers and bartenders perform at the end of their shift also varies based on the type of shift. As either a server or bartender, at the end of a shift that is not a closing shift, "cut work" (the side work that is performed once the server or bartender is "cut" from the floor and is no longer having tables seated in their section) is performed for the benefit of team members that are still working. That is, before I leave the restaurant I will stock items in the server stations or bar that are running low so that the servers or bartenders that are staying to close will have what they need to serve our guests. On a closing shift, on the other hand, certain side work is performed to prepare the restaurant for the next day. On a typical shift where I do not close the restaurant, my "cut work" takes about an hour as a server. I have only closed once as a bartender and cannot estimate how long bartender "cut work" takes on a closing shift.

9. The side work that I perform also varies based on how busy the restaurant is, the time of year, the number of servers working on my shift, and who else is working. For example, when the restaurant is very busy, as a server I will spend more time on running side work restocking the server station with items that customers frequently use. If it is warm outside, servers will likely refill the ice bins more often because customers order more cold drinks. When more servers are working, there is less running side work for me to perform, because we all pitch in and do a bit of it. When certain servers open, there is less running side work for me to do. For example, when my coworker Jeff opens, he is very particular and very thoroughly prepares and stocks all of the items our customers will need. Therefore, there is typically no running side work for me to do at all when I come in after Jeff has opened.

10. In my experience, customers tip based on factors including speed of service, responsiveness, and overall dining experience. Because side work allows me to respond to

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customer requests more quickly and efficiently, and helps create a more pleasant dining environment, it leads to greater tips.

11. For example, if servers did not stock napkins at the server stations, each time a customer requested an extra napkin, I would have to make the customer wait while I obtained one from the kitchen. In order to make my job easier and my service faster and more efficient, I stock such items in the server station so that the items are readily available. This allows me to be more efficient and leads to larger tips.

12. I have never performed tasks that were unrelated to my job as a server or bartender, while working as a server or bartender. I have worked in the kitchen as an expeditor on occasion, but when I do so, I clock in under a different code so that I will be paid the full minimum wage.

13. During my time as a server or bartender, I have never cleaned bathrooms (including removing trash, mopping the floors, or cleaning the toilets, urinals, counters, mirrors, and sinks, replacing sanitary bags in the women's restroom, and stocking the restrooms with soap and paper products); deck scrubbed the floors; cleaned and bleached drains; cleaned restaurant walls (this is a task cashiers perform); put nozzles onto the soda fountains (another task the cashier does); removed cigarette butts from the sand-filled outdoor ashtrays; set up the three-compartment sink (kitchen staff does this); set up the glass rimmer; or cleaned the walk-in cooler.

14. I have not vacuumed the floors any time in at least the past three and a half to four years. In fact, there is not a vacuum at my restaurant.

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15. I have never performed work in the kitchen such as food preparation. Servers and bartenders are not allowed in the kitchen. As a server, I perform most of my side work at the server stations in the bar seating area, where I can keep an eye on my customers. As a bartender, I perform most of my side work behind the bar.

Time Spent on Different Tasks

16. It is difficult for me to estimate how much time I spend performing particular tasks or types of tasks during a shift. This is because different shifts command different work depending on the number of customers, the demands of those customers, the number of other individuals working, and the type of shift.

17. I estimate that, as a server, on my typical shifts when I do not open or close, I spend no time on pre-shift side work, 15 minutes to an hour and a half on running side work, and 45 minutes to an hour on my "cut duties" or closing side work. The higher ends of these ranges are on days when we are very busy and where I work a double shift (which can last up to 12 hours). On a shorter shift, my side work is less. On the rare occasions when I have worked an opening shift as a server, I estimate that I spend approximately 45 minutes on pre-shift side work, 15 to 45 minutes on running side work, and 45 minutes to an hour on "cut tasks." On the rare occasions where I have closed as a server, I have not spent *any* time on pre-shift side work, I have spent 15 to 45 minutes on running side work, and I have spent 30 to 45 minutes on my "cut work" or closing side work.

18. This means that, as a server depending on the day and shift, on the shifts I am scheduled for now where I don't open or close, I might spend between 8% and 18% of my time on side work. This amount varies based on the amount of side work I perform and also the

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length of my shift. For example, when I work a single shift (which is far less frequent than working a double), I perform the same amount of cut duties as on a longer shift, so they amount to a larger percentage of my time on the shift overall. Although the percentage of time I spend on side work is higher when I open or close, I do this very rarely. I cannot think of a week in the last three years where I have opened or closed more than once in a week.

19. I have never spent more than 20% of my work time during any particular week performing side work. Although I may have done so on individuals days, when I average my side work out of the week, it has never exceeded 20% of my time for the week. Indeed, for the last couple of years since I have been working "mid" or "volume" double shifts, the amount of side work I do in a given work week is always well below 20% of my time.

Compensation

20. I am aware that BWW takes a tip credit. In other words, I am aware that BWW pays me less than minimum wage because I receive tips. The tips I earn far exceed this tip credit, and I would rather receive my tip income than receive minimum wage.

21. When I started working at BWW, the company explained the tip credit to me and told me that it intended to pay me less than minimum wage for the hours I worked.

22. When I started working at BWW, the company also gave me a copy of the employee handbook. The handbook contains a written explanation of the compensation method that BWW applies to tipped employees. I reviewed the handbook and understood this explanation.

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23. When I started working for the company, I also received and signed an acknowledgement form regarding my pay. The form set out the amount of my wages per hour and the amount of the tip credit that the company intended to take against minimum wage.

24. BWW displays a poster in the back of the house that explains the law with respect to minimum wage and the tip credit. A similar poster has been displayed throughout my employment with BWW.

25. I have been paid the full minimum wage for performing certain duties, for example, attending meetings, working as a cashier, and working as an expeditor. When I perform these duties, I clock in with a different job code so that receive the full minimum wage.

26. I do not think I am receiving less compensation than I am entitled to. On a couple of occasions, I noticed that a day of pay was missing from my check when I had picked up an extra shift. I informed my GM Sheridan Moser. She corrected the mistake and I was paid for the missing hours on my next pay check. . I have never heard anyone else make a complaint that they did not receive all of the compensation to which they were entitled. I make good money working at BWW and am happy with the tips I receive overall.

27. I know that I can report complaints without fear of retaliation as I have done in the past (when my check was short). If I had a problem or felt that I was not being paid properly for the hours I worked, I would report it immediately to my General Manager Sheridan Moser. I feel confident that she would correct any mistake as she has always done in the past.

Walkouts and Cash Drawer Shortages

28. A walkout occurs when a customer leaves the restaurant without paying the bill. When a walkout occurs, I am not responsible for paying the bill; rather, BWW takes the loss. In

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the past three years, I have had approximately three groups of customers walk out without paying their bill. On each occasion, BWW covered the loss. I have never been disciplined for a customer walkout. I have never paid for a customer walkout.

29. As a bartender, I am responsible for maintaining a cash drawer during my shift. I place customer payments into the cash drawer and make change from the drawer. I am responsible for ensuring that the cash in the drawer is accounted for and cash does not go missing, nor is there extra cash in the drawer. There has never been a shortage in my drawer.

30. As a server, I keep my money with me at all times, including money I use to make change and money I collect from customers. I have similarly, never experienced a shortage or loss of the money I keep with me as a server.

I declare under penalty of perjury that the foregoing is true and correct.

12/1/16 — Date

Alyssa Rohn — Alyssa Rohn

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EXHIBIT 9

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LINDSAY GROSSCUP, on behalf of herself and all other persons similarly situated, known and unknown, Plaintiff, v. KPW MANAGEMENT, INC., and HERE'S WINGS, LLC, Defendants.	Case No. 1:16-cv-06501 Judge John J. Tharp Magistrate Judge Young B. Kim

DECLARATION OF MICHAEL ROLON

I, Michael Rolon, based on my personal knowledge and pursuant to 28 U.S.C. § 1746, declare as follows:

1. I work as a Server at the Buffalo Wild Wings restaurant in Northbrook, Illinois ("BWW"). I was hired as a cashier at BWW in October 2014 and worked until January 2015 when I quit. In May of 2015, I was rehired as a cashier. In July 2015, I became a server, although I occasionally still work a shift as a cashier. Cashier is not a tipped position. This declaration discusses my experience as a Server at BWW from July 2015 through the present..

2. Starting in July 2015, my availability was "open" meaning I was willing to work any shifts for which I was scheduled. I typically worked a combination of shifts totaling approximately 38 hours per week. Because I am a student, I cut back my hours during the school year (in August or September) and increase them again in May. Currently, I typically work 4-6 shifts per week, averaging a total of 20-25 hours per week. I always close on Thursday and my other shifts vary.

3. Servers work opening shifts, closing shifts, and swing shifts (with various start times. As a server, when I work an opening shift, I arrive at 10:00 a.m. on Monday and Tuesday, and 10:30 on other days. I typically leave the restaurant between 1:30 and 2:00 p.m. When I work a closing shift, I arrive at 6:00 p.m. and leave the restaurant between midnight and 2:45 a.m., depending on the day of the week and whether guests are still in the restaurant past the official close time. The restaurant is open until 1:00 a.m. Monday through Thursday; 2:00 a.m. on Friday and Saturday; and midnight on Sunday. I typically leave the restaurant during a closing shift either right at closing time, or later if guests stay past that time. Swing shift servers have staggered starts times, coming in 15 minutes apart between 4:00 p.m. and 5:00 p.m. Their cut times are also staggered between 7:00 p.m. and 10:00 p.m.

Types of Activities

4. As a Server for BWW, my primary responsibility is serving guests. To effectively and efficiently serve guests, I perform a variety of tasks.

5. "Side work" is a shorthand term that we use to describe tasks that enable us to serve customers in an efficient and seamless manner. For example, during their shifts, Servers respond to customer needs by, for example, delivering drinks, dishes, condiments, garnish, and other items that customers request. Therefore, part of our side work includes stocking these items in the server stations so that they are available and can be delivered quickly and efficiently upon request. My understanding of the purpose of side work is that it is to speed thing up so that we can quickly and efficiently serve the guest. Serving our guests at BWW is a team effort. When all Servers contribute to side work the job is a lot easier and a lot faster. This translates to all of us receiving higher tips because we can provide better service. In addition, because of this team-work approach, each Server does a small part of the side work and no one's side work is excessive.

6. Based on my experience, different shifts have different types and amounts of side work. For example, when I work swing shifts and closing shifts, my manager assigns me tables when I first arrive at the restaurants. Therefore, I do not perform any pre-shift side work, and I must rely on the preparatory work completed by other Servers to serve my customers. When I work an opening shift, on the other hand, I typically arrive at the restaurant 30 minutes before it opens. I spend about 15 minutes on side work and then spend the remaining 15 minutes chatting with coworkers, getting something to drink, or just hanging out. The opening side work that I perform during these 15 minutes includes setting up drink stations, putting garbage bags into the trash bins at my server station, putting bins of soapy water on top of the garbage cans by the server stations, and bringing brooms and spray bottles of sanitizer to the front of the house. I use the broom to keep my section tidy for my guests. I use the sanitizer to clean off my tables between parties of guests.

7. I perform running side work each day. This means that, during my shift, I periodically stock my server station with items that I need to serve my guests like cups, napkins, paper boats for wings, silverware, ketchup and mustard, and to go containers. I don't always have to stock these items during a shift - only if they are running low. Sometimes I also throw out the garbage at my server station when it gets too full. If I am busy, my manager will often help with these tasks. I also bus my own tables, wipe them down, and make sure the menus are properly set out on my tables. Overall, all of this running side work takes me approximately 5 to ten minutes per shift to complete.

8. The amount of running side work I do varies based on how many guests are in the restaurant. When we are very busy, I don't have time to do as much running side work and a

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manager helps me. When we are not busy, I am able to complete all of my side work while I am serving my tables.

9. I also perform closing or "cut" tasks at the end of my shift once I have been cut from the floor. The tasks and the amount of time they take do not vary based on the type of shift (opening, closing, or swing). My typical closing tasks include ~~collective~~ Collecting MR silverware from my tables, making sure my section is clean (including sweeping, cleaning and tables,) MR and throwing away the garbage), and stocking my server station with the same items that I stock with at the beginning of an opening shift. When we are not very busy, I am able to complete all of my closing side work while I continue to serve my last guests. If we are busy, I likely won't start my closing side work until after the restaurant closes. In either case, all of my closing side work, combined, typically takes no more than 20 to 25 minutes.

10. In my experience, customers tip based on factors including speed of service, responsiveness, and overall dining experience. Because side work allows me to respond to customer requests more quickly and efficiently, and helps create a more pleasant dining environment, it leads to greater tips.

11. For example, if servers did not stock napkins at the server stations, each time a customer requested an extra napkin, I would have to make the customer wait while I went back to the kitchen to obtain one. This would lead to long wait times and lower tips. In order to make my job easier and my service faster and more efficient, I stock such items in the server station so that the items are readily available.

12. I have never performed tasks that were unrelated to my job as a Server. During my time as a server, I have never cleaned bathrooms (including removing trash, mopping the floors, or cleaning the toilets, urinals, counters, mirrors, and sinks, replacing sanitary bags in the

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women's restroom, and stocking the restrooms with soap and paper products); mopped and deck scrubbed the floors; cleaned and bleached drains; cleaned restaurant walls; dusted wood, vents, televisions, or coils on coolers; lifted chairs from on top of tables and placed them underneath the tables; set up the patio; or removed cigarette butts from the sand-filled outdoor ashtrays

13. I have only vacuumed the floor a single time since I've been a server.

14. Cashiers clean the bathrooms, dust various areas of the restaurant, and clean the restaurant walls. I have never performed any of these tasks as a server (but I have as a cashier). Cashiers are paid the regular minimum wage (not the tipped minimum wage) and clock in with a different code than servers use.

15. I have never performed work in the kitchen. I perform most of my side work at the server stations in the dining room, where I can keep an eye on my customers.

Time Spent on Different Tasks

16. It is difficult for me to estimate how much time I spend performing particular tasks or types of tasks during a shift. This is because the amount of side work I do can vary based on how busy the restaurant is and other factors. In addition, I often perform side when I have a few minutes to spare, rather than in a continuous amount of time.

17. I estimate that, at most, on an opening shift I spent 55 minutes to an hour and five minutes on side work. On a closing shift, I spend 25 to 35 minutes on side work. These estimate include *all* of my side work including any opening side work, running side work, closing side work, and weekly or daily assigned tasks. I typically work one opening shift each week, and three swing or closing shifts. Therefore, in a typical week I spend less than three hours total on side work (and I typically work 25-30 hours). Even when I work 2 opening shifts, I estimate that

MR

I spend less than 4 hours per week on side work (and again, I typically work 25-30 hours per week)

18. This means that, depending on the day and shift, I might spend between 10% and 16% of my time on side work. This varies based on whether I have more opening or closing shifts, the total number of hours I work during the week, how busy I am, how may servers are assigned to my shifts, and other factors.

19. I have never spent more than 20% of my work time during any particular week performing side work.

Compensation

20. I am aware that BWW takes a tip credit. In other words, I am aware that BWW pays me less than minimum wage because I receive tips. The tips I earn far exceed this tip credit, and I would rather receive my tip income than receive minimum wage.

21. When I started working as a server, the company (specifically, my GM, Carrie Brown) explained the tip credit to me and told me that it intended to pay me less than minimum wage for the hours I worked but that my tips would make up the difference.

22. When I started working at BWW, the company also gave me a copy of the employee handbook. The handbook contains a written explanation of the compensation method that BWW applies to tipped employees. I reviewed the handbook and understood this explanation. I got another copy of the handbook when I became a server.

23. When I became a Server for the company, I also received and signed an acknowledgement form regarding my pay. The form set out the amount of my wages per hour and the amount of the tip credit that the company intended to take against minimum wage.

MR

24. BWW displays a poster right outside the kitchen by the managers' office that explains the law with respect to minimum wage and the tip credit. This poster has been displayed throughout my employment with the company.

25. I have been paid the full minimum wage for performing certain duties, for example training, when I work as a cashier, and when I come in for meetings as a server. When I perform these duties, I clock in with a different job code so that receive the full minimum wage.

26. I do not think I am receiving less compensation than I am entitled to. One time after we switched over to a new computer system, I received my pay check and noticed that the hours and pay were incorrect. I brought this to GM Carrie Brown's attention and the error was fixed immediately (I received another check and was paid for the hours). Other than this instance, I have never complained that I received less compensation than I should have. I have never heard anyone else make such a complaint.

27. I know that I can report complaints without fear of retaliation. If I ever had a problem or felt that I was not being paid properly for the hours I worked, I would report it immediately. That's what I did when I noticed my hours were incorrect and Carrie immediately fixed the problem.

Walkouts and Cash Drawer Shortages

28. A walkout occurs when a customer leaves the restaurant without paying the bill. I have never, during my time as a server at BWW, paid the bill when a customer walked out. I have had two occasions where one of my customers walked out without paying. On neither occasion, did I pay the bill; rather, my manager took care of it. I also was not disciplined on either occasion.

29. Servers do not maintain a cash drawer. Rather, I keep all of my change and other money in my own wallet. At the end of my shift, I have to account for all of the money and tips.

MR

I also receive a printout that shows the amount of my cash receipts, credit card receipts, and tips.

I have never had a shortage in my cash, because I keep track of my cash very carefully.

I declare under penalty of perjury that the foregoing is true and correct.

November 30, 2016

Michael Rolon

EXHIBIT 10

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LINDSAY GROSSCUP, on behalf of herself and all other persons similarly situated, known and unknown, Plaintiff, v. KPW MANAGEMENT, INC., and HERE'S WINGS, LLC, Defendants.	Case No. 1:16-cv-06501 Judge John J. Tharp Magistrate Judge Young B. Kim

DECLARATION OF MERVIS SANTIAGO

I, Mervis Santiago, based on my personal knowledge and pursuant to 28 U.S.C. § 1746, declare as follows:

1. I work as a server at the Buffalo Wild Wings restaurant in Skokie, Illinois ("BWW"). I started working as a server in 2009, and had started as a cashier in 2008.

2. I typically work four shifts per week that begin at 5:30 p.m. and average about nine hours per shift. I currently work these shifts while working toward an engineering degree.

Types of Activities

3. As a server for BWW, my primary responsibility is serving guests food and drink, and I usually do so on the bar floor area. To effectively and efficiently serve my customers, I perform a variety of tasks, including greeting guests, taking their orders, delivering the food and drinks, inquiring about and taking care of any of their needs, and more.

4. "Side work" is a shorthand term that we use to describe tasks that enable us to serve customers in an efficient and seamless manner. For example, during my shifts, I respond to customer needs by, for example, delivering drinks, dishes, condiments, garnish, and other

items that customers request. Therefore, part of side work includes stocking these items in the server stations so that they are available and can be delivered quickly and efficiently upon request.

5. Based on my experience, different shifts have different side work. For example, when I work a closing shift, I do not perform any pre-shift side work, and I must rely on the preparatory work completed by other servers to serve my customers.

6. I perform running side work during my shift while the restaurant is open. This includes sweeping my station, wiping down table tops periodically, ensuring the server station at the bar is stocked, and rolling silver if needed. This takes me about ten minutes per shift at a maximum. If it takes a server longer than that, they are not doing that work correctly.

7. I also perform closing side work, which begins usually near or just after the last guests have left for the night. This includes cleaning table tops on the bar floor, sweeping and mopping the tile floor in the bar and walkway to it, restock the server station, and rolling any leftover silverware. This usually takes me an hour to perhaps an hour and 15 minutes per shift.

8. I have never performed work in the kitchen. I perform most of my side work at the server stations in / adjacent to the bar area, where I can keep an eye on my customers.

Time Spent on Different Tasks

9. I estimate that I spend no more than 10 minutes per shift on running side work. I estimate that I might spend 60 to 75 minutes per shift on closing side work.

10. This means that, depending on the day and shift, I might spend between 12% and 20% of my time on side work, but it varies by the day. I estimate that I usually spend about 15% of my total server time in a week on side work.

Compensation

11. I am aware that BWW takes a tip credit. In other words, I am aware that BWW pays me less than minimum wage because I receive tips. The tips I earn far exceed this tip credit, and I would rather receive my tip income than receive minimum wage.

12. When I started working at BWW, the company explained the tip credit to me and told me that it intended to pay me less than minimum wage for the hours I worked, and my mangers have explained this to me.

13. When I started working at BWW, the company also gave me a copy of the employee handbook. The handbook contains a written explanation of the compensation method that BWW applies to tipped employees. I reviewed the handbook and understood this explanation, and I have received more recent versions of that handbook.

14. BWW displays a poster near the office that explains the law with respect to minimum wage and the tip credit, and some version of that has always been posted.

15. I have been paid the full minimum wage for performing certain duties, for example, when I attend meetings.

16. I do not think I am receiving less compensation than I am entitled to, and I have never complained to that effect.

17. I know that I can report complaints without fear of retaliation. If I ever had a problem or felt that I was not being paid properly for the hours I worked, I would report it immediately.

Walkouts and Cash Drawer Shortages

18. A walkout occurs when a customer leaves the restaurant without paying the bill. When a walkout occurs, I am not responsible for paying the bill; rather, BWW takes the loss. The only time that happened to me was about 4 years ago, and I was not held financially responsible for it.

I declare under penalty of perjury that the foregoing is true and correct.

12/1/16
Date

Mervis Santiago

EXHIBIT 11

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LINDSAY GROSSCUP, on behalf of herself and all other persons similarly situated, known and unknown,

Plaintiff,

v.

KPW MANAGEMENT, INC., and HERE'S WINGS, LLC,

Defendants.

Case No. 1:16-cv-06501

Judge John J. Tharp

Magistrate Judge Young B. Kim

DECLARATION OF MARY SHANLEY

I, Mary Shanley, based on my personal knowledge and pursuant to 28 U.S.C. § 1746, declare as follows:

1. I work as a server at the Buffalo Wild Wings restaurant in Hoffman Estates, Illinois ("BWW"). I started working as a server here around July of 2007.

2. For the last three to four years, I have had a set schedule. This is not typical at BWW as most servers work different shifts each week. I typically am scheduled to work Wednesday through Saturday. Wednesdays and Saturdays, I work a double shift as a server in the dining room or the bar area, coming in at 11:00 a.m. and staying until approximately 10:00 p.m. Thursdays and Fridays, I open the restaurant, working from 10:30 a.m. until whenever I am cut (typically around 2:00 p.m.). I very rarely close the restaurant.

Types of Activities

3. As a server for BWW, my primary responsibility is serving customers. To effectively and efficiently serve customers, I perform a variety of tasks.

4. "Side work" is a shorthand term that we use to describe tasks that enable us to serve customers in an efficient and seamless manner. For example, during their shifts, servers respond to customer needs by, for example, delivering drinks, dishes, condiments, garnish, and other items that customers request. Therefore, part of our side work includes stocking these items in the server stations so that they are available and can be delivered quickly and efficiently upon request. My restaurant does not use any side work lists or written instructions for side work. I have not seen any side work list on over two years. Before that, there were side work lists in the restaurant, but I never followed them and never referred to them. I am a trainer who trains new servers at the restaurant. As part of my training duties, I tell new servers that there are no side works lists, they just need to do what needs to be done in their area of the restaurant to efficiently serve our customers.

5. Based on my experience, different shifts have different side work. For example, when I work what we call a "mid" or "volume" shift (*i.e.*, neither an opening nor closing shift), my manager assigns me tables when I arrive. Therefore, I do not perform any pre-shift side work, and I must rely on the preparatory work completed by other servers to serve my customers.

6. By contrast, when I work an opening shift, I perform around 20 minutes of preparatory side work before the restaurant opens to get everything ready for the customers to arrive. I only open the restaurant as a bar server. My side work to open as a bar server includes taking stools off the bar, placing buckets of sanitizer by the bar server station, filling ice bins, ensuring there are enough cups at the end of the bar, and generally ensuring that the bar is clean and ready to open.

7. I typically perform running side work. This means that, during my shift, I periodically fill up the ice at my server station, take out the garbage if it gets full, and restock cups onto a shelf. Servers work together to ensure these tasks are done for the mutual benefit of our customers.

8. In my experience, customers tip based on factors including speed of service, responsiveness, and overall dining experience. Because side work allows me to respond to customer requests more quickly and efficiently, and helps create a more pleasant dining environment, it leads to greater tips.

9. For example, if servers did not stock the paper wing boats that we give to customers to discard bones with each order of chicken wings at the server stations, each time a customer ordered wings (our signature item), I would have to make the customer wait while I obtained a boat from the back of the house. In order to make my job easier and my service faster and more efficient, I stock boats in the server station so that they are readily available.

10. I have never performed tasks that were unrelated to my job as a server position.

11. During my time as a server, I have never mopped the floors; deck scrubbed the floors; cleaned and bleached drains; cleaned restaurant walls; dusted wood, vents, televisions, or coils on coolers; broken down the soda wand; removed cigarette butts from the sand-filled outdoor ashtrays; or set up the three-compartment sink.

12. I have not vacuumed the restaurant over the past four years. Our restaurant does not have a vacuum.

13. I have never performed work in the kitchen. I perform most of my side work at the server stations in the dining room, where I can keep an eye on my customers.

Time Spent on Different Tasks

14. It is difficult for me to estimate how much time I spend performing particular tasks or types of tasks during a shift. This is because different shifts require different work depending on the number of customers, the demands of those customers, the number of other individuals working, and how busy we are.

15. I estimate that, on busy days, on an opening shift, I spend no more than 20 minutes on pre-shift side work, 10-15 minutes on running side work, and 20 minutes on "cut work" or closing side work. On a "mid" or "volume" shift, I do not perform any pre-shift side work, I spend approximately 20 minutes on running side work, and 20-30 minutes on "cut work" (this number is closer to 30 on a closing shift, though I rarely work closing shifts). On slow days, I spend even less time on these various categories of side work.

16. This means that, depending on the day and shift, I might spend between 5% and 25% of my time on side work. The only time I would spend even close to 25% of my time on side work in a given day is when I open and then get cut very early, so I perform opening side

work and then get cut right after lunch, such that my shift is only around 4 hours long. This happens extremely infrequently and never more than once per week. On the other end of the spectrum, sometimes during a double shift lasting 12 hours, where I neither open nor close, I will only spend approximately thirty minutes total doing side work (which works out to less than 5% of my shift).

17. I have never spent more than 20% of my work time during any particular week performing side work. Even though on an individual day, I may spend 25% of my time on side work, for the most part that amount is much less (even as low as 5%), so over the course of a work week all of my side work averages out to occupying less than 20% of my time.

Compensation

18. I am aware that BWW takes a tip credit. In other words, I am aware that BWW pays me less than minimum wage because I receive tips. The tips I earn far exceed this tip credit, and I would rather receive my tip income than receive minimum wage.

19. When I started working at BWW, the company explained the tip credit to me and told me that it intended to pay me less than minimum wage for the hours I worked.

20. I do not think I am receiving less compensation than I am entitled to, and I have never complained to that effect. I have never heard anyone else make such a complaint.

21. I know that I can report complaints without fear of retaliation. If I ever had a problem or felt that I was not being paid properly for the hours I worked, I would report it immediately to the restaurant General Manager, Sheridan Moser.

Walkouts and Cash Drawer Shortages

22. A walkout occurs when a customer leaves the restaurant without paying the bill. I have not experienced a customer walkout in the past three years.

23. I am responsible for maintaining my own cash during my shift. I do not use a cash drawer, rather I keep my cash with me. I have never experienced a shortage in my cash, such that I had to pay any cash back to the restaurant or the restaurant had to take a loss.

I declare under penalty of perjury that the foregoing is true and correct.

12·02·2016
Date

[signature]
Mary Shanley

EXHIBIT 12

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LINDSAY GROSSCUP, on behalf of herself and all other persons similarly situated, known and unknown,

Plaintiff,

v.

KPW MANAGEMENT, INC., and HERE'S WINGS, LLC,

Defendants.

Case No. 1:16-cv-06501

Judge John J. Tharp

Magistrate Judge Young B. Kim

DECLARATION OF TAMARA SINGLETON

I, Tamara Singleton, based on my personal knowledge and pursuant to 28 U.S.C. § 1746, declare as follows:

1. I work as a server at the Buffalo Wild Wings restaurant in the Old Orchard Mall ("BWW"). I started working as a server here about a year ago.

2. I typically work five days per week. Currently, my shift starts at either 10:30 or 11 a.m. and runs until 4:30 or 5:00 p.m. Previously, however, I worked two shifts per week where I closed the restaurant and three other shifts where I would start at 11 a.m. or noon and leave around 5 p.m.

3. Prior to working at BWW, I worked as a server and manager at Dixie's Kitchen in Evanston, Illinois and spent time there as a tipped employee. In total, I've been a server for 16 years.

Types of Activities

4. As a server for BWW, my primary responsibility is serving customers. To effectively and efficiently serve customers, I perform a variety of tasks directly serving my guests and focus almost my work time on that.

5. "Side work" is a shorthand term that describes tasks that do not involve direct service but enables me to serve customers quickly. For example, during their shifts, I respond to customer needs by, for example, delivering drinks, dishes, condiments, garnish, and other items that customers request. Therefore, part of side work includes stocking these items in the server stations so that they are available and can be delivered quickly upon request.

6. Based on my experience, different shifts have different side work. For example, when I work as an opener, I arrive by 10:30 and spend about 30 minutes performing side work before guests arrive. This includes rolling server (if any is left to do), cutting lemons for the drinks I and other servers serve with drinks, setting up the soda machine with which I pour soft drinks, brewing ice tea that I and others serve, and making sure the tables are tidied up. Currently, I open only once per week, and before a few weeks ago, I did not open and thus did not do this 30 minutes of side work.

7. When I used to work two closing shifts per week, I would stay an hour each shift after the guests leave to perform closing side work, which mainly involved closing down the server station and tidying up my areas.

8. I perform running side work as well, which is a matter of restocking any missing items and maintaining the appearance of my tables. I estimate that this takes me about 10 minutes per shift, but it varies depending on how many customers we have and how many servers we have for them.

9. I have never performed tasks that were unrelated to my job as a server. During my time as a server, I have never cleaned bathrooms; mopped and deck scrubbed the floors other than my server station, which is four x four feet; cleaned and bleached drains; cleaned or scrubbed trash cans; washed dishes; cleaned restaurant walls; dusted wood, vents, televisions, or coils on coolers; filled "sani" with water and sanitizer and placed them at the server stations; broken down the soda wand; filled ice in the back of the house and carried it to the front of the house to empty into ice bins; placed tubs at the server stations; set up the patio which involves carrying caddie buckets with condiments, wet naps, and napkins, and watering the plants; removed cigarette butts from the sand-filled outdoor ashtrays; set up the three-compartment sink; plugged the bar dishwasher and filled it with water; stocked the bar with napkins and boats; placed rubber mats on the floor behind the bar; restocked drink mixes, lemonades, and beer bottles; changed empty kegs; cut fruit; washed barware and equipment such as the blender; cleaned the walking cooler; cleaned and dusted the bar.

10. I have never performed work in the kitchen. I perform most of my side work at the server stations in / adjacent to the dining room, where I can keep an eye on my customers.

Time Spent on Different Tasks

11. I estimate that, currently, I spend about 6% of my time on side work. This is because I work about 30 hours per week and open twice a week, which involves 30 minutes of side work. In addition, during every shift, I spend about 10 minutes on side work during the shift. This is a total of 60 minutes on opening side work and 50 minutes of side work during the shift, which is a total of 110 minutes, out of working about 1800 minutes in a week, which is a little more than 6%.

12. Before a few weeks ago, however, I closed two days per week, and that involved 60 minutes of side work each day, for a total of 120 minutes. In addition, I would spend about 10 minutes on side work during the shift on each of my five days of work, for a total of 50 minutes. My total time spent on side work would be 170 minutes. But I worked about 40 hours per week then, which is 2400 minutes in a week, which meant that I spent about 7% of my time in a week on side work.

Compensation

13. I am aware that BWW takes a tip credit. In other words, I am aware that BWW pays me less than minimum wage because I receive tips. The tips I earn far exceed this tip credit, and I would rather receive my tip income than receive minimum wage.

14. When I started working at BWW, the company explained the tip credit to me and told me that it intended to pay me less than minimum wage for the hours I worked.

15. When I started working at BWW, the company also gave me a copy of the employee handbook. I cannot recall what that handbook says.

16. BWW displays a poster near the office that explains the law with respect to minimum wage and the tip credit. It has been up ever since I've worked here.

17. I have been paid the full minimum wage for performing certain duties, for example, when attending meetings. When I perform these duties, I clock in with a different job code so that receive the full minimum wage.

18. I do not think I am receiving less compensation than I am entitled to, and I have never complained to that effect. I have never heard anyone else make such a complaint.

19. I know that I can report complaints without fear of retaliation. If I ever had a problem or felt that I was not being paid properly for the hours I worked, I would report it immediately.

Walkouts and Cash Drawer Shortages

20. A walkout occurs when a customer leaves the restaurant without paying the bill. This only happened to me once, and I was not held financially responsible for it.

21. I do not maintain the cash drawer.

I declare under penalty of perjury that the foregoing is true and correct.

12-2-16
Date

Tamara Singleton

EXHIBIT 13

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LINDSAY GROSSCUP, on behalf of herself and all other persons similarly situated, known and unknown,

Plaintiff,

v.

KPW MANAGEMENT, INC., and HERE'S WINGS, LLC,

Defendants.

Case No. 1:16-cv-06501

Judge John J. Tharp

Magistrate Judge Young B. Kim

DECLARATION OF CHANTEA VAUGHN

I, Chantea Vaughn, based on my personal knowledge and pursuant to 28 U.S.C. § 1746, declare as follows:

1. I work as a bartender and server at the Buffalo Wild Wings restaurant in Hagerstown, Maryland ("BWW"). I have worked at the BWW in Hagerstown for six years. I have worked as a bartender for 4 to 4.5 years, and as a server for 6 years.

2. I typically work 6 days per week, for not more than 40 hours per week. My day off varies per week. I typically begin work at 10:00 a.m., 11:00 a.m., or 12:00 p.m., and I always end my day by 4:00 p.m.

3. This declaration focuses on my experiences at BWW from 2013 through the present.

Types of Activities

4. As a bartender and server for BWW, my primary responsibility is serving customers. To effectively and efficiently serve customers, I perform a variety of tasks.

5. "Side work" is a shorthand term that we use to describe tasks that enable us to serve customers in an efficient and seamless manner. For example, during their shifts, servers respond to customer needs by, for example, delivering drinks, dishes, condiments, garnish, and other items that customers request. Therefore, part of our side work includes stocking these items in the server stations so that they are available and can be delivered quickly and efficiently upon request. All servers on duty share in these responsibilities.

6. Based on my experience, different shifts have different side work. For example, when I begin work at 10:00 a.m., i.e. the opening shift, one other server is assigned the opening shift with me. Together, we put out sanitizer buckets to clean the tables, make iced tea, and wipe the tables. When I begin work at 11:00 a.m. or 12:00 p.m., my manager assigns me tables when I arrive. Therefore, I do not perform any pre-shift side work, and I rely on the preparatory work completed by other servers to serve my customers. During my shift, I may need to re-stock cups, boxes, ketchup, sugar packets, and silverware. All servers on duty at any given time share in the side work for the mutual benefit of BWW customers.

7. As a bartender, my side work includes stocking beer, refilling ice, and ensuring that glasses are cold and frozen.

8. In my experience, customers tip based on factors including speed of service, responsiveness, and overall dining experience. Because side work allows me to respond to customer requests more quickly and efficiently, and helps create a more pleasant dining environment, it leads to greater tips.

9. For example, if servers did not stock sliced lemons at the server stations, each time a customer requested a lemon for his or her water, I would have to make the customer wait

while I obtained one from the bar. In order to make my job easier and my service faster and more efficient, I stock such items in the server station so that the items are readily available.

10. I have never performed tasks or side work that were unrelated to my job as a bartender or server.

11. During my time as a bartender and server: I have never cleaned bathrooms; I have never removed cigarette butts from the sand-filled outdoor ashtrays; and I have never performed work in the kitchen.

Time Spent on Different Tasks

12. As a server or bartender, I estimate that, on busy days, I spend no more than 15 minutes per shift on running side work. When I work the opening shift, I estimate that I spent no more than 15 to 20 minutes on side work before the restaurant opens. This means that, depending on the day and shift, I might spend between 4 to 5 % of my time on side work. I have never spent more than 20% of my work time during any particular week performing side work.

Compensation

13. I am aware that BWW takes a tip credit. In other words, I am aware that BWW pays me less than minimum wage because I receive tips. The tips I earn far exceed this tip credit. I make good money at BWW and I would rather make my tips than make minimum wage. I have worked here for six years because I make good money, and I believe if I left BWW to work at another restaurant I would take a pay cut.

14. When I started working at BWW six years ago, I already knew about the tip credit because of my experience in the restaurant industry.

15. BWW displays a big poster in the kitchen that explains the law with respect to minimum wage and the tip credit.

16. I do not think I am receiving less compensation than I am entitled to, and I have never complained to that effect. I have never heard anyone else make such a complaint.

17. I know that I can report complaints without fear of retaliation. If I ever had a problem or felt that I was not being paid properly for the hours I worked, I would report it immediately.

Walkouts and Cash Drawer Shortages

18. A walkout occurs when a customer leaves the restaurant without paying the bill. When a walkout occurs, I am not responsible for paying the bill; rather, BWW takes the loss. I have never been disciplined for customer walkouts. I have never paid for a customer walkout.

19. As a bartender, I am responsible for maintaining a cash drawer during my shift. I place customer payments into the cash drawer and make change from the drawer. I am responsible for ensuring that the cash in the drawer is accounted for and cash does not go missing, nor is there extra cash in the drawer. Very infrequently, cash drawer shortages have occurred in the morning. When this happens, I tell the manager on duty, and the manager makes note of the shortage so I am not penalized. I have never paid for a drawer shortage, and I have never been disciplined for a drawer shortage.

I declare under penalty of perjury that the foregoing is true and correct.

12-13-16
Date

Chantea Vaughn
CHANTEA VAUGHN

EXHIBIT 14

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LINDSAY GROSSCUP, on behalf of herself and all other persons similarly situated, known and unknown, Plaintiff, v. KPW MANAGEMENT, INC., and HERE'S WINGS, LLC, Defendants.	Case No. 1:16-cv-06501 Judge John J. Tharp Magistrate Judge Young B. Kim

DECLARATION OF JENNIFER WIRTH

I, Jennifer Wirth, based on my personal knowledge and pursuant to 28 U.S.C. § 1746, declare as follows:

1. I work as a bartender at the Buffalo Wild Wings restaurant in Skokie ("BWW"). I started working as a bartender about four years ago, after having worked at other positions here.

2. Each week I typically work two closing shifts, one opening shift, and two other shifts where I neither open nor close. I usually work up to 35 hours per week.

Types of Activities

3. As a bartender for BWW, my primary responsibility is serving customers at the bar. To effectively and efficiently serve customers at the bar, I perform a variety of tasks, the vast majority of which are taking drink and food orders, mixing and preparing drinks, serving drinks and food, fulfilling other guest requests, and checking on guests.

4. "Side work" is a shorthand term that we use to describe tasks that enable us to serve customers in an efficient and seamless manner. For example, during my shifts, I respond to customer needs by, for example, delivering drinks, dishes, condiments, garnishes, and other

items that customers request. Therefore, part of my side work includes stocking these items in the bar so that they are available and can be delivered quickly and efficiently upon request, and is something that I believe helps me generate tips.

5. Based on my experience, different shifts have different side work. For example, when I work a shift where I do not open, and I must rely on the preparatory work completed by others to serve my customers. My side work on those shifts involves cutting fruit for drinks (for example, lemon and lime slices and twists for a variety of drinks, or orange slices for Blue Moon beer); stocking bottles of beer when needed, changing kegs when the kegs are low, and wiping down areas of the bar. It does not take much time at all.

6. By contrast, when I work an opening shift, I perform opening duties when I arrive to set up the bar for myself and other bartenders that take about an hour. Much of these duties involve preparing items I and others will need (fruit for drinks, for example) when customers arrive so that we can serve them quickly.

7. In my experience, customers tip based on factors including speed of service, responsiveness, and overall dining experience. Because side work allows me to respond to customer requests more quickly and efficiently, and helps create a more pleasant dining environment, it leads to greater tips. For example, if I did not stock bottles at the bar, each time a customer requested one, I would have to make the customer wait while I obtained one from outside the bar. In order to make my job easier and my service faster and more efficient, I stock such items in the server station so that the items are readily available.

8. I have never performed tasks that were unrelated to my job as a bartender. I have never cleaned bathrooms; cleaned and bleached drains; washed dishes; or cleaned restaurant walls or the general area or the parking lot.

9. I have never performed work in the kitchen. I perform most of my side work at the bar, where I can keep an eye on my customers.

Time Spent on Different Tasks

10. It is difficult for me to estimate how much time I spend performing particular tasks or types of tasks during a shift. This is because different shifts command different work depending on the number of customers, the demands of those customers, the number of other individuals working, etc.

11. When I look at a full workweek, I estimate that I spend about 15% of my time on duties that I do not consider tip producing. That is because I am scheduled for different shifts over the course of a week. I typically work two closing shifts in a week where there is more side work, but also work other shifts with less side work, such that the total amount of side work I perform during the week is about 15% of my work time as a bartender.

Compensation

12. I am aware that BWW takes a tip credit. In other words, I am aware that BWW pays me less than minimum wage because I receive tips. The tips I earn far exceed this tip credit, and I would rather receive my tip income than receive minimum wage.

13. When I started working at BWW, the company explained the tip credit to me and told me that it intended to pay me less than minimum wage for the hours I worked.

14. When I started working at BWW, the company also gave me a copy of the employee handbook. The handbook contains an explanation of the compensation method that BWW applies to tipped employees. I reviewed the handbook and understood this explanation.

15. BWW displays a poster near the office that explains the law with respect to minimum wage and the tip credit. That poster has been displayed throughout my employment with the company.

16. I have been paid the full minimum wage for performing certain duties, for example, when in training, in meetings, or when working as a cashier. When I perform these duties, I clock in with a different job code so that receive the full minimum wage.

17. I do not think I am receiving less compensation than I am entitled to, and I have never complained to that effect. I have never heard anyone else make such a complaint.

18. I know that I can report complaints without fear of retaliation. If I ever had a problem or felt that I was not being paid properly for the hours I worked, I would report it immediately.

Walkouts and Cash Drawer Shortages

19. A walkout occurs when a customer leaves the restaurant without paying the bill. When a walkout occurs, I am not responsible for paying the bill; rather, BWW takes the loss. I have not been disciplined for customer walkouts. I have not ever paid for a customer walkout.

20. I am responsible for maintaining a cash drawer during my shift. I place customer payments into the cash drawer and make change from the drawer. I am responsible for ensuring that the cash in the drawer is accounted for and cash does not go missing, nor is there extra cash in the drawer. Sometimes cash drawer shortages have occurred. When this happens, I have never had to be financially responsible for it and haven't been disciplined for it.

I declare under penalty of perjury that the foregoing is true and correct.

12/1/16
Date

Jennifer Wirth

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